



Based upon my de novo review of the Objections, it is **ORDERED** as follows:

1. All of the Objections are OVERRULED;
2. The Report and Recommendations (ECF No. 177) are fully ACCEPTED;
3. The Motion to Dismiss Amended Complaint by EQT Production Company (ECF No. 77) is GRANTED IN PART AND DENIED IN PART in accord with the Report and Recommendations;
4. The Motions to Dismiss by the Coal Owners (ECF Nos. 93, 169) are GRANTED IN PART AND DENIED IN PART in accord with the Report and Recommendations; and
5. The Motion to Dismiss by the Commonwealth of Virginia (ECF No. 106) is GRANTED in accord with the Report and Recommendations.

ENTER: September 28, 2011

/s/ James P. Jones  
United States District Judge